



Commonwealth  
of Massachusetts

*OCPF Online*  
*www.mass.gov/ocpf*  
*Office of Campaign and Political Finance*  
*One Ashburton Place, Room 411*  
*Boston, MA 02108*

---

Advisory Opinion

February 21, 2006  
AO-06-03

Cheryl M. Cronin, Esq.  
Brown Rudnick Berlack Israels LLP  
One Financial Center  
Boston, MA 02111

Re: University of Massachusetts Club

Dear Ms. Cronin:

This letter is in response to your recent request for an advisory opinion regarding whether a candidate's committee which is not organized on behalf of a candidate for constitutional office may make expenditures for the candidate's membership in the University of Massachusetts Club ("the Club").

You have stated that the Club is unique in the Boston area since it represents the major public university of the Commonwealth, and in that regard is a special meeting place and forum for those engaged in the public sector. In addition, membership in the Club advances the public focus nature of the job of public officials. Also, you note that the Club will be a venue for many events relating to the University and public issues. Finally, supporting the Club results in the support of a major new effort by the University.

Given these circumstances, many public officials are contemplating joining the Club because of its link to the University, and the fact that the University has such a significant role within the Massachusetts public sector, and among the constituents of the public officials.

QUESTION

May a political committee of a candidate not running for constitutional office pay for the candidate's membership in the Club?

ANSWER

Yes, if the candidate would not be participating in the Club "but for the candidate's interest in it enhancing the candidate's political stature." *See* 970 CMR 2.06(3)(c).

DISCUSSION

A political committee organized on behalf of a candidate not running for constitutional office may make expenditures only “for the enhancement of the political future of the candidate . . . so long as such expenditure is not primarily for the candidate's or any other person's personal use.” *See* M.G.L. c. 55, § 6.

Regulations issued by this office pursuant to Section 6 specifically allow such candidates to make expenditures for memberships in clubs or organizations “provided that the candidate would not be participating in the particular organization or association but for his interest in it enhancing his political stature.” *See* 970 CMR 2.06(3)(c).

In AO-95-24, the office stated that if an officer or employee of a political committee would not be a member of a club or organization but for the person's participation or employment in the committee, and the expenditure is made primarily to benefit the candidate's political future, the expenditure would be consistent with the campaign finance law. For example, if an officer or employee was a member of a social club before becoming active in a political campaign, campaign funds could not be used to pay the membership fee.

Given the circumstances described in your letter, an expenditure for membership in the Club would appear to comply with Section 6 and 970 CMR 2.06(3)(c).

This opinion is issued on the basis of your letter and solely within the context of the campaign finance law. I encourage you to contact us in the future if you have further questions regarding any aspect of the campaign finance law.

Sincerely,

A handwritten signature in dark ink, reading "Michael J. Sullivan", followed by a vertical line.

Michael J. Sullivan  
Director